

ANDROMEDICAL, S.L.



REQUERANT - APPLICANT  
MARQUE DE COMMERCE - TRADE-MARK  
ANDROPENIS & Design

andro  penis

V68447CA  
GOWLING LAFLEUR HENDERSON LLP  
2300 - 1055 DUNSMUIR STREET  
P.O. BOX 49122, BENTALL IV  
VANCOUVER  
BRITISH COLUMBIA V7X 1J1  
Attention: Margaret Fitzpatrick

DATE DE PRODUCTION - FILING DATE

10 avr/Apr 2008

No DOSSIER - FILE NO.

1390898

RUBRIQUES DE L'INDEX - INDEX HEADINGS

ANDROPENIS  
\*  
RECTANGLE  
\*  
SQUARE  
\*  
SYMBOL-MALE  
\*

USAGER INSCRIT - REGISTERED USER

DATE DE L'ANNONCE - ADVERTISEMENT DATE

DATE DE L'ADMISSION - ALLOWANCE DATE

REMIS A REFERRED TO	REMARQUES REMARKS	INITIALES INITIALS	DATE	CLASSER P.A. DATE	INITIALES INITIALS	REPORTER B.F. DATE
	D. MACDONALD					

ADVERTISE

OPIC-CIPO 195 (9-02)

OPIC  
OFFICE DE LA PROPRIÉTÉ  
INTELLECTUELLE DU CANADA



CIPO  
CANADIAN INTELLECTUAL  
PROPERTY OFFICE



1390898



**APPL'N/DEM. NO 1 390 898**

**REGISTRATION/ENREGISTREMENT NO TMA764,177**

**FILING DATE/DATE DE PRODUCTION:**

**10 avr/Apr 2008**

**REGISTRATION DATE/DATE D'ENREGISTREMENT:**

**14 avr/Apr 2010**

**REGISTRANT/PROPRIÉTAIRE ORIGINAL:**

ANDROMEDICAL, S.L.  
Proción, 7 Edificio América II  
Bloque 4 pl. baja  
28023 Madrid  
SPAIN

**REP FOR SERVICE/REP POUR SIGNIFICATION:**

GOWLING LAFLEUR HENDERSON LLP  
BENTALL 5  
550 BURNARD STREET  
SUITE 2300, P.O. BOX 30  
VANCOUVER  
BRITISH COLUMBIA V6C 2B5

**TRADE-MARK/MARQUE DE COMMERCE:**



**COLOUR CLAIM/REVENDEICATION DE COULEUR:**

Colour is claimed as a feature of the trade-mark. The words are blue on a white background. The rectangular outline is blue. The square between the words is blue containing the outline of a quarter circle and arrow in white.

**WARES/MARCHANDISES:**

Medical apparatus for the enlargement of the penis.

**APPL'N/DEM. NO 1 390 898**

**REGISTRATION/ENREGISTREMENT NO TMA764,177**

**CLAIMS/REVENICATIONS:**

Used in CANADA since at least as early as 2003 on wares.

**APPL'N No./No DEM. 1 390 898**

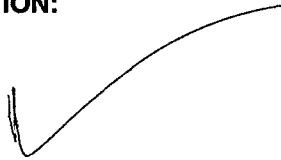
**ALLOWED/ADMISE**

**FILING DATE/DATE DE PRODUCTION:**

**10 avr/Apr 2008**

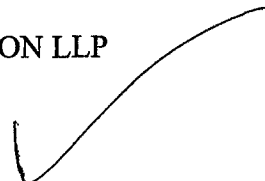
**APPLICANT/REQUÉRANT:**

ANDROMEDICAL, S.L.  
Proción, 7 Edificio América II  
Bloque 4 pl. baja  
28023 Madrid  
SPAIN



**AGENT: (V68447CA)**

GOWLING LAFLEUR HENDERSON LLP  
BENTALL 5  
550 BURRARD STREET  
SUITE 2300, P.O. BOX 30  
VANCOUVER  
BRITISH COLUMBIA V6C 2B5  
ATTENTION: Margaret Fitzpatrick



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**(V68447CA)**

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BENTALL 5  
550 BURRARD STREET  
SUITE 2300, P.O. BOX 30  
VANCOUVER  
BRITISH COLUMBIA V6C 2B5  
ATTENTION: Margaret Fitzpatrick



**TRADE-MARK/MARQUE DE COMMERCE:**





**APPL'N No./No DEM. 1 390 898**

**MARK DESCRIPTIVE REFERENCE/RÉFERENCE DESCRIPTIVE DE LA MARQUE:**

**ANDROPENIS & Design**

**INDEX HEADINGS/RUBRIQUES:**

ANDROPENIS

\* \*

RECTANGLE

\*

SQUARE

\*

SYMBOL-MALE

\*

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26.4.2 Rectangles

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26.4.18 Quadrilaterals containing one or more letters

26.4.24 Quadrilaterals with dark surfaces or parts of surfaces

27.5.1 Letters presenting a special form of writing

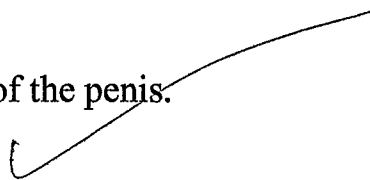
27.5.17 Letters in heavy characters

**COLOUR CLAIM/REVENDEICATION DE COULEUR:**

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**WARES/MARCHANDISES:**

Medical apparatus for the enlargement of the penis.





**APPL'N No./No DEM. 1 390 898**

**CLAIMS/REVENDEICATIONS:**

Used in CANADA since at least as early as 2003 on wares. ✓

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27.5.1 Lettres présentant un graphisme spécial

27.5.17 Lettres en caractères massifs

**COLOUR CLAIM/REVENDEICATION DE COULEUR:**

La couleur est revendiquée comme caractéristique de la marque de commerce. Les mots sont bleus sur un arrière-plan blanc. Le contour du rectangle est bleu. Le carré entre les mots est bleu et contient un quart de cercle et une flèche blancs.

**WARES/MARCHANDISES:**

Appareils médicaux pour augmenter la dimension du pénis.

**CLAIMS/REVENDEICATIONS:**

Employée au CANADA depuis au moins aussi tôt que 2003 en liaison avec les marchandises.

**APPL'N No./No****1 390 898****ASSOCIATED MARKS/MARQUES LIÉES:**

1,390,899

Action / Action	Date / Date	BF/ BF	Commentaires/ Comments
filed	10 avr/Apr 2008		
created	11 avr/Apr 2008		
formalized	14 avr/Apr 2008		
translation requested	15 avr/Apr 2008	14 juin/Jun 2008	
translation received	24 avr/Apr 2008		
translation received	08 mai/May 2008		
Search Recorded	19 déc/Dec 2008		
Examiner's First Report	19 déc/Dec 2008	19 avr/Apr 2009	
approval notice sent	27 avr/Apr 2009	25 mai/May 2009	
translation requested	28 avr/Apr 2009	27 juin/Jun 2009	
translation received	20 mai/May 2009		
approved	18 juin/Jun 2009		APPROVED BY PROGRAM EX200M1 Vol.56 Issue 2852 2009/06/24 Vol.56 Issue 2852
Extracted for Advertisement	19 juin/Jun 2009		
advertised	24 juin/Jun 2009		
allowed	09 oct/Oct 2009		
allowance notice sent	09 oct/Oct 2009	09 avr/Apr 2010	

**GOWLINGS**

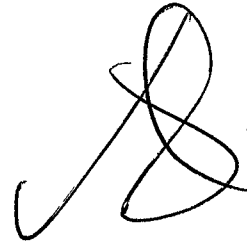
P.O. Box 30, Suite 2300  
550 Burrard Street  
Vancouver, BC  
Canada V6C 2B5  
Telephone (604) 683-6498  
Facsimile (604) 683-3558  
www.gowlings.com

March 24, 2010

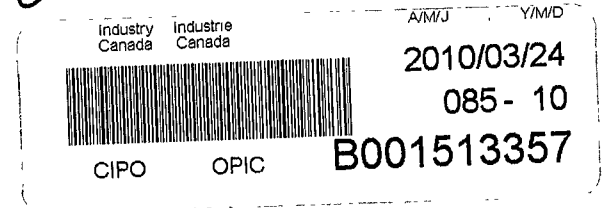
**VIA COURIER**

Canadian Intellectual Property Office  
Place du Portage I  
50 Victoria Street  
Gatineau, Quebec K1A 0C9

**Attention: Declaration/Registration Section**



**Jane Baggott**  
Direct (604) 443-7606  
jane.baggott@gowlings.com  
File No. V68447CA



Dear Sirs:

Re: Canadian Trade-mark Application  
Trade-mark : **ANDROPENIS & Design**  
Applicant : Andromedical, S.L.  
Application No. : 1,390,898  
Our Reference : V68447CA

Further to Notice of Allowance dated October 9, 2009, the Registrar of Trade-marks on behalf of the Receiver General for Canada is hereby authorized to deduct the corresponding fee of \$200 from this firm's deposit account number 600000771. Should the fees identified in this correspondence be insufficient to cover all of the fees for which payment is explicitly or implicitly requested by this letter, the Registrar is authorized to deduct the amount of the insufficiency from this firm's deposit account number 600000771. The Registrar is also authorized to deduct the corresponding fee and/or the amount of the insufficiency from this firm's alternate deposit account number 600000107 as an alternate method of payment, should this be necessary.

We look forward to receiving the Certificate of Registration in due course.

Yours very truly,  
**GOWLING LAFLEUR HENDERSON LLP**



Jane Baggott  
Principal, Trade-mark Agent

JSB/ak

**Trade-mark Registration Fee: \$200**

file: \\intrepid-  
prod\tml\data\ec\trade\_mark\01\39\08\98\gowvan1404173006426\_rev.html printed:  
2009-04-15 13:14

**Electronic Application Receive TimeStamp: April 15, 2009 12:39:24 PM**

Description : ANDROPENIS & Design

Date : April 15, 2009

Registrar of Trade-marks  
Trade-marks Office  
Gatineau, Quebec K1A 0C9  
CANADA

Attention: David MacDonald

Please find attached an amended application for filing and our response.

Trade-mark application number: 1390898

Reference No. : V68447CA

A formal drawing of the trade-mark is attached.

Other Document T:\FitzpatM\Herrero & Asociados, S.L\ANDROPENIS &  
Design\CA\VAN\_LAW-#491906-v1-response.DOC enclosed.

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## **REVISED APPLICATION FOR THE REGISTRATION OF A TRADE-MARK**

1. The applicant, **ANDROMEDICAL, S.L.**, the full post office address of whose principal office or place of business is Proción, 7 Edificio América II, Bloque 4 pl. baja, 28023 Madrid, SPAIN, applies for the registration, in accordance with the provisions of the *Trade-marks Act*, of the trade-mark identified below.

2. The trade-mark is shown in the attached drawing :



2a. Colour is claimed as a feature of the trade-mark. The words are blue on a white background. The rectangular outline is blue. The square between the words is blue containing the outline of a quarter circle and arrow in white.

3. The trade-mark has been used in Canada by the applicant in association with all the specific wares listed hereafter, and the applicant requests registration in respect of such wares. The trade-mark has been so used in Canada in association with the general class of wares comprising the following specific wares **(1) Medical apparatus for the enlargement of the penis** since at least as early as **2003**.

4. The applicant appoints GOWLING LAFLEUR HENDERSON LLP, whose full post office address in Canada is BENTALL 5, 550 BURNARD STREET, SUITE 2300, P.O. BOX 30, VANCOUVER, BRITISH COLUMBIA, CANADA, V6C 2B5, as the person (firm or any member of the said firm), as its agent to prosecute this revised application with full powers of amendment and substitution, to execute any amendment related thereto as well as any amended revised application, and to represent the applicant with respect to this revised application, the said agents being authorized to receive the registration certificate on behalf of the applicant.

5. The applicant appoints GOWLING LAFLEUR HENDERSON LLP, whose full post office address in Canada is BENTALL 5, 550 BURNARD STREET, SUITE 2300, P.O. BOX 30, VANCOUVER, BRITISH COLUMBIA, CANADA, V6C 2B5 as the person (or firm) to whom any notice in respect of the revised application or registration may be sent, and upon whom service of any proceedings in respect of the revised application or registration may be given or served with the same effect as if they had been given to or served upon the applicant or registrant.

6. The applicant is satisfied that it is entitled to use the trade-mark in Canada in association with the wares described above.

Amended on : April 15, 2009

andro  penis

Canadian Intellectual Property Office  
Place du Portage I  
50 Victoria Street, Room C-114  
Gatineau, Quebec K1A 0C9

April 15, 2009

IN THE CANADIAN TRADE-MARKS OFFICE

Serial No.: 1,390,898  
Trade-mark: ANDROPENIS & Design  
Applicant: Andromedical, S.L.  
Examiner: David MacDonald  
Agent's Reference: V68447CA

AMENDMENT

On behalf of the applicant, kindly amend the statement of wares as follows:

**Medical apparatus for the enlargement of the penis**

A revised application incorporating these amendments is enclosed.

REMARKS

In his report dated December 19, 2008, the Examiner requested a more specific definition of the "medical, electromedical, sanitary, surgical and orthopaedic apparatus, devices and instruments".

The Examiner has also enquired as to whether color is claimed as a feature of the mark. The applicant confirms that the color is claimed as a feature of the mark. The words are blue on a white background. The rectangular outline is blue. The square between the words is blue containing the outline of a quarter circle and arrow in white.

By way of the enclosed amended application, the applicant has complied with the Examiner's requests.

It would appear that this application is now in condition for approval for advertisement and notification to that end is hereby respectfully requested.

Respectfully submitted,  
Andromedical, S.L.

By: *Gowling Lafleur Henderson LLP*  
Agent

Gowling Lafleur Henderson LLP  
(Attention: Margaret Fitzpatrick)  
550 Burrard Street  
Vancouver, BC

Montréal | Ottawa | Toronto | Hamilton | Waterloo Region | Calgary | Vancouver | Moscow |

V68447CA\VAN\_LAW\491906\1

Canada V6C 2B5

Montréal | Ottawa | Toronto | Hamilton | Waterloo Region | Calgary | Vancouver | Moscow |

V68447CA\VAN\_LAW\491906\1

**1,390,898**  
**ANDROPENIS & Design**

*Associated Marks*

✓1	ANDROMEDICAL & Design	1,390,899	Formalized
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*Active Marks*

2	ANDROMEDIA	1,210,969	TMA638,812	Registered
3	ARSENAL MEDICAL	1,406,489		Formalized
4	ANDROCUR	451,182	TMA250,711	Registered
5	ANDROID	1,370,800		Searched
6	CAB PACK PACKAGE DESIGN (black & white)	1,297,480		Searched
7	CAB PACK PACKAGE DESIGN (colour)	1,297,481		Searched
8	cap.net & design	1,375,511		Advertised
9	M & Design	1,114,875	TMA705,835	Registered
10	PROSTATE PLUS & Design	1,079,791	TMA584,999	Registered
11	ZIMMER GENDER SOLUTIONS & DESIGN	1,308,814		Allowed

REQUÉRANT - APPLICANT

ANDROMEDICAL, S.L.

NUMÉRO DE DOSSIER - FILE NUMBER

1390898

MARQUE DE COMMERCE - TRADE-MARK

ANDROPENIS & Design

DATE DE PRODUCTION - FILING DATE

10 avr/Apr 2008

RUBRIQUES DE L'INDEX - INDEX HEADINGS

ANDROPENIS

\* \*

RECTANGLE

\* \*

SQUARE

\* \*

SYMBOL-MALE

\* \*

andro  penis

MARCHANDISES/SERVICES - WARES/SERVICES

Medical apparatus and devices for penis enlargement; medical, electromedical, sanitary, surgical and orthopaedic apparatus, devices and instruments.

*check for  
Andropenis  
a symbol*

EXIGENCES FORMELLES - FORMAL REQUIREMENTS

☒ WARES/MARCHANDISES

☐ SERVICES

☐ DISCLAIMER

☐ CC + FEE

☐ OTHER/AUTRE

OBJECTIONS

☐ 12 (1)(a)

☐ 12 (1)(c)

☐ 12 (1)(b)

☐ 12(1)(d)

☐ 16

☐ OTHER

*MA 2008*

MARQUES ASSOCIEES - ASSOCIATED MARKS

*1390 899*

**APPL'N No./No DEM. 1 390 898**

**FORMALIZED/FORMALITÉS ACCOMPLIES**

**FILING DATE/DATE DE PRODUCTION:**

**10 avr/Apr 2008**

**APPLICANT/REQUÉRANT:**

ANDROMEDICAL, S.L.  
Proción, 7 Edificio América II  
Bloque 4 pl. baja  
28023 Madrid  
SPAIN

**AGENT: (V68447CA)**

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P.O. BOX 49122, BENTALL IV  
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ATTENTION: Margaret Fitzpatrick

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andro  penis

file: n:\ec\trade\_mark\01\39\08\98\1390898.htm printed: 2008-04-11 07:48

Transmission identification: gowvan1004162027964\_app

**Electronic Application Receive TimeStamp: April 10, 2008 4:23:27 PM**

Reference No. : V68447CA

Description : ANDROPENIS & Design

Date : April 10, 2008

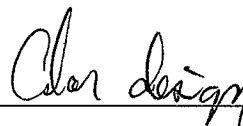
Registrar of Trade-marks  
Trade-marks Office  
Gatineau, Quebec K1A 0C9  
CANADA

Attention: Formalities Section

Please find attached an application to register the trade-mark ANDROPENIS & Design

The Registrar of Trade-marks on behalf of the Receiver General for Canada is hereby authorized to deduct the prescribed fee from this firm's deposit account for a total amount of CDN\$250.

A formal drawing of the trade-mark is attached.



## APPLICATION FOR THE REGISTRATION OF A TRADE-MARK

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